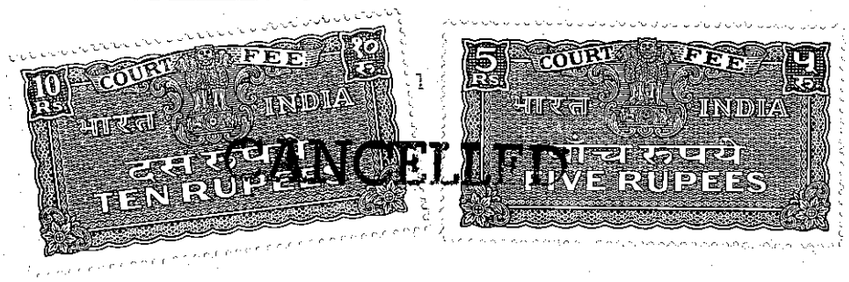

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G)

MISCELLANEOUS APPEAL NO.113/2002

APPELLANT CLAIMANT

1) Devendra kumar Verma,Aged about 08yrs, S/o. Lakhan lal Verma,represented by legal guardian fahter Lakhanlal, R/o. Vill & Post-Kathia no.1,P.S.Kharora, District : Raipur (C.G)

VERSUS

RESPONDENTS / NON-APPLICANT

1) Bhim lal, S/o. Pawan lal Satnami, R/o. Vill & Post-Kathia no.1,P.S.Kharora, District : Raipur (C.G)

2) Omprakash Agrawal,S/o Sawar mal Agrawal, R/o main road Kharora,Disst-Raipur (C.G)

3) The New India Insurance Co.Ltd. Through Divisional Manager, Divisional Office,Kutchheri Chowk,Raipur(C.G)

P. R. No. 26/8/02
Pres... Shri S.C. Verma
dated 09/12/02

Miscellaneous Appeal under/section 173 Motor Vehicle Act 1988

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक MA 113/03 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Division Bench :

HON'BLE SHRI A.K. PATNAIK, C.J.

& HON'BLE SHRI FAKHRUDDIN, J.

15-03-2005.

Heard Mr. S.C. Verma, learned counsel for the appellant and Shri N.K. Agrawal, Sr. Advocate with Mr. Qamrul Aziz, learned counsel for respondent 3/The New India Insurance Company Ltd.

This is an appeal filed by claimant – Devendra Kumar Verma against the award dated 09.08.2002 passed by Second Additional Motor Accidents Claims Tribunal-cum-District Judge, Raipur in Claim Case No.2 of 2002.

During the pendency of this appeal, the appeal has been compromised and as per the compromise a sum of Rs.20,000/- (Rupees twenty thousand only) is to be paid by respondent 3 / The New India Insurance Company Ltd. to appellant – Devendra Kumar Verma, in addition to the amount already awarded by the Tribunal in the impugned award. An affidavit dated 03.02.2005 has been filed by Lakhan Lal Verma, the father of appellant – Devendra Kumar Verma as the appellant is a minor, indicating the aforesaid terms of the compromise.

Mr. S.C. Verma, learned counsel appearing for the appellant and Mr. N.K. Agrawal, learned Sr. counsel appearing for respondent 3 / Insurance company, admit the terms of the aforesaid compromise as indicated in the said affidavit filed 03.02.2005.

This appeal is accordingly disposed of in accordance with the said terms recorded in the affidavit dated 03.02.2005 and the said affidavit will form part of the compromise award.

(पीछे देखिये)

XI-HC-22

(17)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक MA 113/03 **सन्** 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित – 2 –	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

The impugned award passed by the Tribunal stands modified accordingly.

The aforesaid sum of Rs.20,000/- (Rupees twenty thousand only) will be paid by respondent 3 to the appellant/claimant within a month from today.

Mr. S.C. Verma, learned counsel appearing for the appellant certifies that the aforesaid compromise is for the benefit of the minor / appellant. He will file a certificate in that regard by tomorrow.

Parties are entitled for certified copy of this order

Sd/-
CHIEF JUSTICE

Sd/-
Fakhruddin
Judge

(पीछे देखिये)